

**MOLLY KLAPPER, Esq.**  
**720 Fort Washington Avenue**  
**New York, NY 10040**  
**Tel: (212) 795-5541**  
**Fax: (212) 795-5542**  
**E-Mail: [MediatorExpert@AOL.Com](mailto:MediatorExpert@AOL.Com)**

September 28, 2005

**I. Profession: Attorney, Mediator**

Bar Admission	Jurisdiction	Date of Admission
Attorney	New Jersey State & District of New Jersey	1987
Attorney	New York State Bar, App. Div., 1 <sup>st</sup> Dept.	1989
Attorney	U.S.D.C. S.D.N.Y., E.D.N.Y	1989
Attorney	U.S. Supreme Court	1991
Attorney	U.S. 2d Circ. Ct. of Appeals	1992

II Professional Organizations	Date of Admission	Active/Inactive Status
NJSBA, member ADR section	2004	active
NYCBA (formerly ABCNY)	1989	active
Member Adm. L. Committee (2004 Co-Chair Adm. Law program; 8 credit CLE Program)		
(2000) Guest Lecturer, Legal History Committee's Movie Series, "To Kill a Mockingbird."		
ABA, member Administrative Law section	2005	active
Speaker, Midyear Conf, "Informal Rulemaking under Interstate Compacts";		
Contributing Editor, ABA's <i>Adm. &amp; Regulatory News</i> , 2005, Spring, Summer and Fall eds.		
Marie L. Garibaldi American Inn of Court for Alternative Dispute Resolution	2005	active
APIW (Association of Professional Insurance Women within the Ins. & Reins. Industry)	1988	active
Contributing Editor to <i>Insider</i> Newsletter, article on "Mediation," Fall, 2003, on "Arbitration," Winter 2003; APIW, President's Circle Award.		
NYSBA, Member Bankruptcy Committee	1990-96	inactive

**III General Professional Experience**

**I have been a litigator for more than ten years, eight of which were as an associate with one of the largest defense insurance firms in the country. In that capacity, I dealt with a wide range of cases and matters, ranging from liquidating insurance companies, gathering assets for insolvent insurance companies, product liability cases, securities; to defending hospitals in medical malpractice cases. My experience further includes clerking for the Presiding Justice of the Appellate Division of the Superior Court of New Jersey and interning for a Federal District Court Judge.**

**For the past five years I have been mediating complex cases for the New York Supreme Court, Commercial division, and more recently for the New Jersey Superior Court Civil General Equity and Probate cases, as well as for NASD, NYSE, the Better Business Bureau, and the U.S. Bankruptcy Court for the Southern District. In addition to mediating**

and arbitrating cases, I serve as an Administrative Law Judge for the Taxi & Limousine Commission and for the past four years have been teaching Administrative Law as an Adjunct Professor of Law at Touro Law School.

#### **IV Experience and Familiarity with Bankruptcy Law**

As a litigator, I represented for a number of years the Liquidator of the New York State Insurance Department and was responsible for gathering the assets of insolvent insurance companies. In that capacity, I argued before the Bankruptcy Court and succeeded to have the trustee turn over to the Liquidator nearly a million dollars in trust funds. It required making a 2004 motion for a deposition and drawing up various settlement documents. I was also involved in seeking a bankruptcy stay in another matter.

#### **V. Mediation Training:**

Mediation Workshop	Harvard Law School	5 days
Basic Mediation Training	ABCNY	4 days
Mediating Employment Discrimination	USDC S.D.NY	1 day
Dispute Resolution Consortium	SPIDR	1 day
Housing Court Mediation	NYS. Sup. Ct.	3 hrs
Mediating Health Care Disputes	ABCNY	2 hrs.
Keys to Conflict Resolution	ABCNY	2 hrs.
Mediating Consumer Disputes	Better Business Bureau	1 day
Training for Arbitrators	Better Business Bureau	11 hours
Training for Arbitrators	NASD	11 hrs
New Chairperson Training	NASD	11 hours online
Small Claims Court	N.Y.S. Supreme Court	1 day

As a member of the American Inns of Court, the monthly meetings always include a program on how to hone your mediation skills.

#### **VI Mediation Experience:**

New York State Supreme Court, Commercial Division, since 2000.

NASD (National Association for Security Dealers), since 2002.

New Jersey Superior Court, Civil General Equity and Probate Cases, since 2003.

U.S. Bankruptcy Court for the S.D.N.Y. since March 2005.

U.S. Bankruptcy Court for the E.D.N.Y. since September 2005.

Better Business Bureau since 2002.

Served as Coach for NASD and the U.S. Bankruptcy Court for the Eastern and Southern Districts in March and September 2005.

Served as Master Mediator for ADR Class at Touro Law School, in April, 2005.

Lectured at Potsdam University, Germany, "On Mediating with the Government," June 2004.

Authored article for APIW *Insider* Newsletter on "Alternate Methods of Settling Insurance Disputes: Mediation," which appeared in the Fall 2003 edition.

## **VII. Area of Expertise:**

Any kind of **commercial** disputes, including but not limited to **employment, discrimination, home improvement, construction, condominium and coops, breach of contract, real estate, insurance coverage; conflicts between insurance carriers, reinsurance, accounting, securities, car leasing contracts, legal fees, medical and legal malpractice, and family business disputes.**

I have enjoyed mediating over seventy cases.

## **VIII. General Pertinent Business or Legal Experience:**

**As an associate for one of the largest defense insurance firms in the country, I was exposed to a wide variety of matters, which included in addition to my litigation experience described in paragraph III, experience in corporate matters, such as drafting buy and sell agreements, employment agreements, arbitration agreements, and various other corporate documents. I thus have litigation and transactional experience which come in handy in mediating and arbitrating cases.**

**In addition to mediation, I also serve as an arbitrator for NASD, the NYSE and the Better Business Bureau. I also served as a Small Claims court arbitrator for a number of years.**

**I have been active in various bar associations and at this year's ABA Midwinter Conference, I presented a paper on "Informal Rulemaking under Interstate Compacts." I am also a contributing editor to the ABA's *Administrative & Regulatory Law News* and my articles on New York State**

and/or NYC Adm. Law have been published in its spring, fall and winter editions. Last year I served as co-chair of a full day program on Adm. Law at the ABCNY.

I have won prizes for some of my articles and have also written for the New York Law Journal "Outside Counsel" column and a book review. A case for which I wrote the winning brief was featured as the "Decision of the Day" in the New York Law Journal.

**IX. Other Pertinent Information:**

In addition to my J.D. I hold a Ph.D. in English literature and have taught English writing and literature classes at several Universities. I have also authored two well-received monographs on English Literature.

I speak and read German.

My background and experience in both the law and the humanities contribute to my unique ability to deal with different personalities and help resolve complex cases.

**X. Fee structure: \$300.00 an hour includes expenses and disbursements.**